

REMARKS

Claims 1-17 and 19 are presently pending in the application. Claim 18 has been cancelled without prejudice or disclaimer. Reconsideration and allowance of all Claims are respectfully requested in view of the following remarks.

The Examiner is respectfully requested to acknowledge receipt of one (1) Replacement Sheet of the formal drawing of the Figure.

The Examiner has rejected Claims 1, 8-10, 15-16, and 19 under 35 U.S.C. §102(b) as being unpatentable over Toader. The Examiner has rejected Claim 18 under 35 U.S.C. 103(a) as being obvious over Toader. The Examiner has rejected Claims 2-3 under 35 U.S.C. 103(a) as being obvious over Toader in view of Tarbutton et al. Finally, the Examiner has rejected Claims 4-7, 11-14, and 17 under 35 U.S.C. 103(a) as being unpatentable over Toader in view of Thompson et al.

Independent Claims 1 and 11 have been amended to recite a means for notifying the user that the allocated amount of time is about to elapse, and independent Claim 15, drawn to a method, has been amended to recite this same feature. The claims have also been amended for reasons of clarity and to remove any alternative language.

For the following reasons, the prior art rejections are respectfully traversed.

The Applicants respectfully submit that neither Toader, Tarbutton et al., nor Thompson et al. teaches or suggests a means for notifying a user than an amount of time for connection to the global computer network is about to expire, as recited in amended Claims 1 and 11, and as substantially recited in amended Claim 15.

Rather, the prior art references are silent with respect to this feature, as the Examiner also admitted in the Office Action dated March 2, 2004.

Although the Examiner asserts that this feature is obvious; however, the Applicants respectfully point out to the Examiner that she has not established a *prima facie* case of obviousness, because the prior art references fail to teach or suggest all the claim limitations of Claims 1, 11, and 15. (See MPEP 2142).

As the Examiner is aware, to establish a *prima facie* case of obviousness three conditions must be met. First, there must be some suggestion or motivation to combine, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combine) must teach or suggest all the claim limitations. (See MPEP 2142).

Since none of the applied prior art references teach or suggest a notification means, Claims 1, 11, and 15 can not be anticipated by nor obvious over the applied prior art, and the rejection of Claims 1, 11, and 15, should be withdrawn.

Further, since Claims 2-10 depend from Claim 1, Claims 12-14 depend from Claim 11, and Claims 16, 17, and 19 depend from Claim 15, they are also patentably distinguishable over the applied prior art for the same reasons cited above with respect to Claims 1, 11, and 15.

If the Examiner believes that there is any issue which could be resolved by a telephone or personal interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Amendment Under 37 CFR §1.111
U.S. Patent Appln. No.: 10/091,280

Atty Dkt. No.: 71364.0002

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 04-1061.

Respectfully submitted,

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